

REMARKS

I. Status of Application

Claims 1-15 are all the claims pending in the Application. By this Amendment, and in the interest of compact prosecution, Applicant amends claim 1 for reasons of clarity and precision of language. By this Amendment, Applicant also adds new dependent claims 16-18. Applicant respectfully submits that the amendment to claim 1, as well as new claims 16-18, are fully supported by the Specification and introduce no new matter.

II. Statement of Substance of Interview

Applicant thanks the Examiner for the courtesies extended to Applicant's representative over the telephone on January 29, 2009. An Interview Summary dated February 2, 2009, has been issued.

During the interview, the following was discussed: the rejection of claim 1 over the cited references.

1. Brief description of exhibits or demonstration: none
2. Identification of claim(s) discussed: 1
3. Identification of art discussed: Wittman, Eichert
4. Identification of principal proposed amendments: a clarification in claim 1 regarding the resources that are reserved
5. Brief Identification of principal arguments: that the cited references do not disclose the features recited in claim 1
6. Indication of other pertinent matters discussed: none

7. Results of Interview: the Examiner indicated that an amendment of claim 1 to recite that the resources reserved comprise such resources as memory would likely overcome the cited references, requiring additional searching. Accordingly, the Examiner suggested that Applicant file this Amendment with an RCE.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

III. Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-11, 13 and 14 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wittmann et al. (AMnet: Active Multicasting Network) in view of Eichert et al. (US 6,393,474) in view of Alexander et al. (Active Network Encapsulation Protocol (ANEP)).

Regarding claim 1, Applicant respectfully submits that the cited references do not disclose, *inter alia*, “wherein said resources constituting the execution environment comprise at least one of memory, passband size, and processing time,” as acknowledged by the Examiner during the interview. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

Regarding claims 2-11, 13, and 14, which ultimately depend from independent claim 1, Applicant respectfully submits that these claims are patentable at least by virtue of their dependency from claim 1.

The Examiner has rejected claim 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wittmann, Eichert, and Alexander as applied to claim 1, and further in view of Applicant's Admitted Prior Art.

Applicant respectfully submits that claim 1 is patentable over Wittmann, Eichert, and Alexander for at least the reasons submitted above, and that Applicant's Admitted Prior Art fails to cure the deficiencies of the cited references. As such, Applicant respectfully submits that claim 12, which is dependent from claim 1, is patentable at least by virtue of its dependency from claim 1.

The Examiner has rejected claim 15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wittmann, Eichert and Alexander as applied to claim 1, and further in view of Deiss et al. (US 2005/0068952).

Applicant respectfully submits that claim 1 is patentable over Wittmann, Eichert, and Alexander for at least the reasons submitted above, and that Deiss fails to cure the deficiencies of the cited references. As such, Applicant respectfully submits that claim 15, which is dependent from claim 1, is patentable at least by virtue of its dependency from claim 1.

IV. New Claims

Applicant adds new claims 16-18, as indicated herein, to provide a varying scope of coverage. Applicant submits that these new claims are patentable at least by virtue of their dependencies from independent claim 1.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

This Amendment is being filed via the USPTO Electronic Filing System (EFS). Applicant herewith petitions the Director of the USPTO to extend the time for reply to the above-identified Office Action for an appropriate length of time if necessary. Any fee due under 37 U.S.C. § 1.17(a) is being paid via the USPTO Electronic Filing System (EFS). The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: March 4, 2009